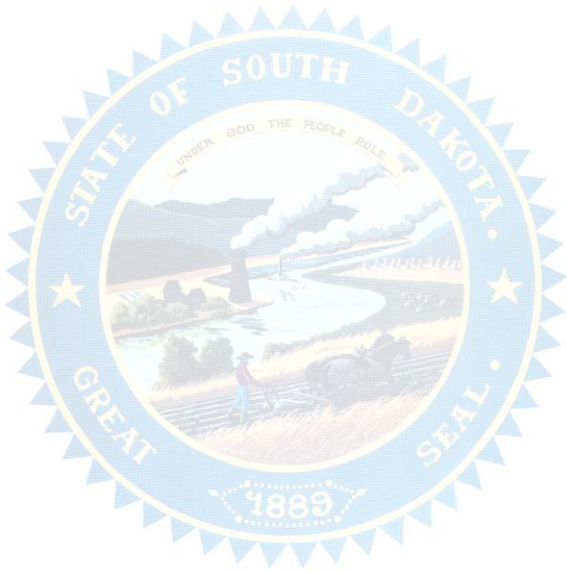


General Qualifications of Voters



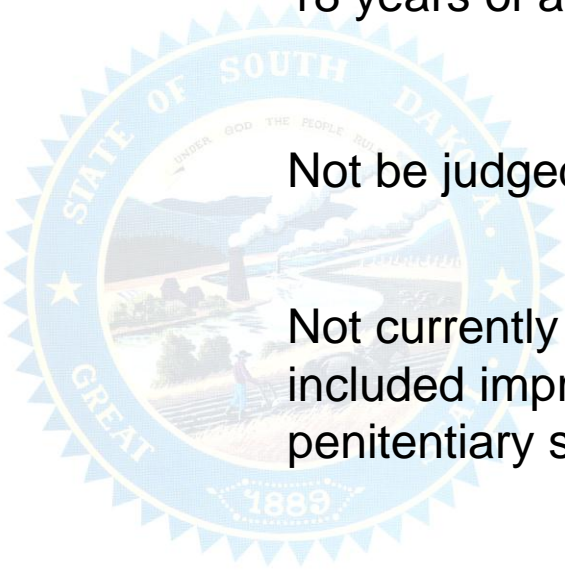
General Qualifications of Voters

United States citizen and South Dakota resident

18 years of age by election day

Not be judged mentally incompetent by a court of law

Not currently serving a sentence for a felony conviction which included imprisonment, served or suspended, in an adult penitentiary system [12-4-18](#) & [23 A-27-35](#)



General Qualifications of Voters

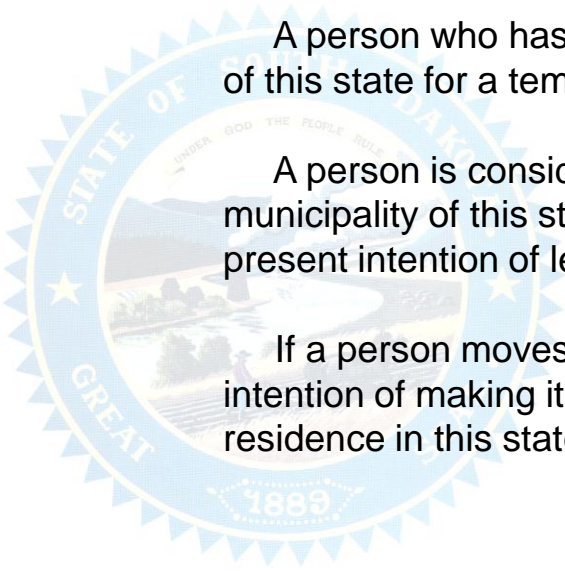
Residency defined:

12-1-4. Criteria for determining voting residence. For the purposes of this title, the term, residence, means the place in which a person has fixed his or her habitation and to which the person, whenever absent, intends to return.

A person who has left home and gone into another state or territory or county of this state for a temporary purpose only has not changed his or her residence.

A person is considered to have gained a residence in any county or municipality of this state in which the person actually lives, if the person has no present intention of leaving.

If a person moves to another state, or to any of the other territories, with the intention of making it his or her permanent home, the person thereby loses residence in this state.

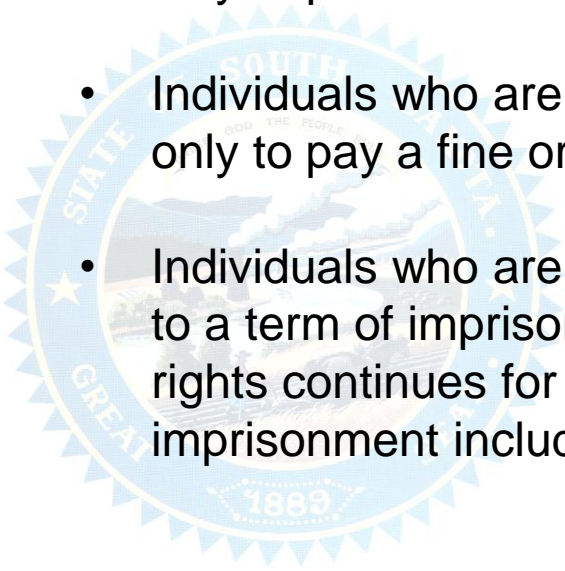


General Qualifications of Voters

More on Felons:

Federal

- Individuals who are convicted of a felony in federal court and sentenced only to probation **retain** the right to vote.
- Individuals who are convicted of a felony in federal court and sentenced only to pay a fine or restitution **retain** the right to vote.
- Individuals who are convicted of a felony in federal court and sentenced to a term of imprisonment **lose** the right to vote. The loss of voting rights continues for as long as the individual is serving a term of imprisonment including supervised release.

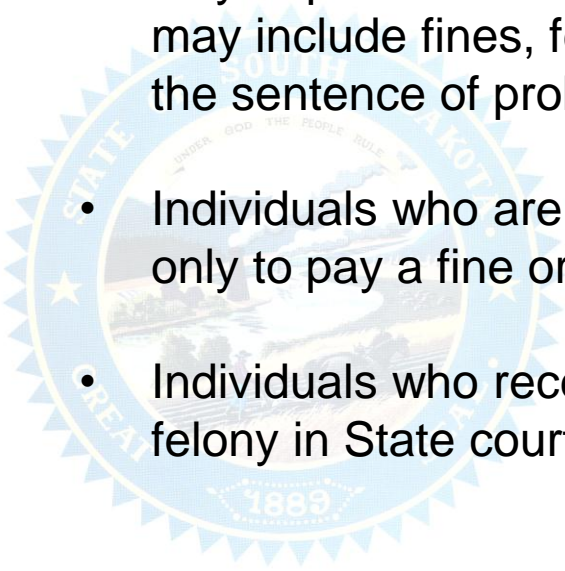


General Qualifications of Voters

More on Felons:

State

- Individuals who are convicted in State court of a felony and sentenced only to probation **retain** the right to vote. A sentence of probation only may include fines, fees, restitution and other conditions associated with the sentence of probation.
- Individuals who are convicted of a felony in State court and sentenced only to pay a fine or restitution **retain** the right to vote.
- Individuals who receive a suspended imposition of sentence on a felony in State court **retain** the right to vote.



General Qualifications of Voters

More on Felons:

State

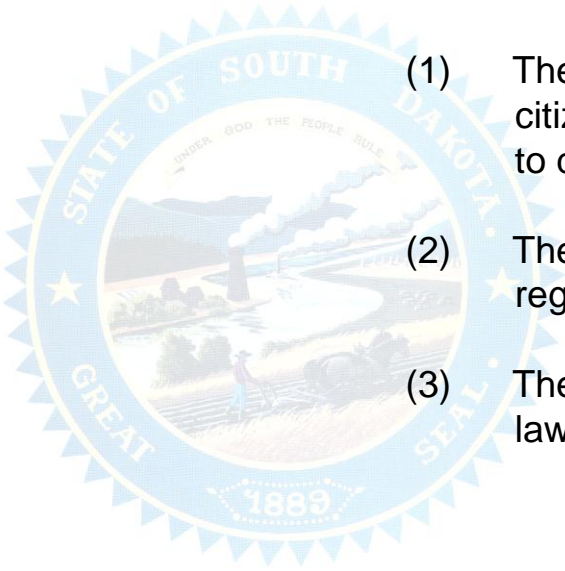
- Individuals who are convicted in State court of a felony and receive a suspended execution of sentence to the adult state penitentiary system **lose** the right to vote during the term of the suspended sentence.
- Individuals who are convicted in State court of a felony and receive a sentence to the adult state penitentiary system **lose** the right to vote during the term of imprisonment. The loss of voting rights continues as long as the individual is physically incarcerated or on parole.
- Juveniles adjudicated as delinquent or as a child in need of supervision and sentenced to incarceration in a juvenile detention facility **retain** the right to vote once they have reached eighteen years of age.

General Qualifications of Voters

Adult Children of Overseas Citizens:

Any overseas citizen may register and vote in any federal, state, county, or local election held within South Dakota under the following conditions:

- (1) The overseas citizen, or the spouse or parent of the overseas citizen, was last domiciled in South Dakota immediately prior to departure from the United States;
- (2) The overseas citizen does not maintain a domicile, is not registered to vote, and is not voting in any other state;
- (3) The overseas citizen is otherwise qualified to vote according to law.



General Qualifications of Voters

Adult Children of Overseas Citizens:

If an overseas citizen who has never resided in South Dakota is eligible to register to vote pursuant to § 12-4-4.4 as the adult child of an overseas citizen and has not reached the age of twenty-two, the voter registration of the adult child shall be accompanied by a photocopy of the adult child's United States passport identification page and an overseas registrant form indicating where the adult child's parent is registered to vote in South Dakota. The State Board of Elections shall prescribe the overseas registrant form.

General Qualifications of Voters

QUESTIONS:

